

Child Care and Development Fund (CCDF) Plan
For

Maine
FFY 2014-2015

**PART 1
ADMINISTRATION**

1.1 Contact Information

The agency shown below has been designated by the Chief Executive Officer of the State (or Territory), to represent the State (or Territory) as the Lead Agency. The Lead Agency agrees to administer the program in accordance with applicable Federal laws and regulations and the provisions of this Plan, including the assurances and certifications appended hereto.(658D, 658E)

1.1.1 Who is the Lead Agency designated to administer the CCDF program? Identify the Lead Agency and Lead Agency's Chief Executive Officer designated by the State/Territory. ACF will send official grant correspondence such as grant awards, grant adjustments, Plan approvals and disallowance notifications to the designated contact identified here. (658D(a), §98.10)

Effective Date: 01-OCT-13

Name of Lead Agency: [Department of Health and Human Services](#)

Address of Lead Agency: [11 State House Station, Augusta, Maine 04333](#)

Name and Title of the Lead Agency's Chief Executive Officer: [Mary Mayhew, Commissioner of the Department of Health and Human Services](#)

Phone Number: [207-287-4223](#)

Fax Number: [207-287-3005](#)

E-Mail Address: mary.mayhew@maine.gov

Web Address for Lead Agency (if any): <http://www.maine.gov/dhhs/index.shtml>

1.1.2 Who is the CCDF administrator? Identify the CCDF administrator designated by the Lead Agency, the day-to-day contact, with responsibility for administering the State/Territory's CCDF program. ACF will send programmatic communications such as program announcements, program instructions, and data collection instructions to the designated contact identified here. **If there is more than one designated contact with equal or shared responsibility for administering the CCDF program, please identify the co-administrator or entity with administrative responsibilities and include contact information.** (§§98.16(a) and (c)(1))

a) Contact Information for CCDF Administrator:

Effective Date: 01-OCT-13

Name of CCDF Administrator: [Kristopher Michaud](#)

Title of CCDF Administrator: [State Child Care Services Team Leader](#)

Address of CCDF Administrator: [2 Anthony Ave. 11 State House Station, Augusta, ME 04333](#)

Phone Number: [207-624-7917](#)

Fax Number: [207-287-5282](#)

E-Mail Address: kristopher.michaud@maine.gov

Phone Number for CCDF program information

(for the public) (if any): <http://www.maine.gov/dhhs/ocfs/ec/occhs/payingchildcare.htm>

Web Address for CCDF program

(for the public) (if any): <http://www.maine.gov/sos/cec/rules/10/148/148c006.doc>

Web Address for CCDF program policy manual

(if any): <http://www.maine.gov/sos/cec/rules/10/148/148c006.doc>

Web Address for CCDF program administrative rules

(if any):

b) Contact Information for CCDF Co-Administrator (if applicable):

Name of CCDF Co-Administrator:

Title of CCDF Co-Administrator:

Address of CCDF Co-Administrator:

Phone Number:

Fax Number:

E-Mail Address:

Description of the role of the Co-Administrator:

1.2 Estimated Funding

1.2.1 What is your expected level of funding for the first year of the FY 2014 - FY 2015 plan period?

The Lead Agency estimates that the following amounts will be available for child care services and related activities during the 1-year period from October 1, 2013 through September 30, 2014. (§98.13(a)).

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FY 2014 Federal CCDF allocation (Discretionary, Mandatory and Matching): \$
[\\$16,835,726.00](#)

Federal TANF Transfer to CCDF: \$ [\\$2,000,000.00](#)

Direct Federal TANF Spending on Child Care: \$ [\\$20,691,243.00](#)

State CCDF Maintenance-of-Effort Funds: \$ [\\$1,749,818.00](#)

State Matching Funds: \$ \$4,887,776.00

Reminder - Lead Agencies are reminded that not more than 5 percent of the aggregate CCDF funds, including federal funds and required State Matching funds, shall be expended on administration costs (§98.52) once all FY2014 funds have been liquidated. State Maintenance-of-Effort funds are not subject to this limitation.

1.2.2 Which of the following funds does the Lead Agency intend to use to meet the CCDF Matching and maintenance-of-effort (MOE) requirements described in 98.53(e) and 98.53(h)? Check all that apply.

Territories not required to meet CCDF Matching and MOE requirements should mark

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N/A here

Note: The Lead Agency must check at least public and/or private funds as matching, even if pre-kindergarten (pre-k) funds also will be used.

Public funds to meet the CCDF Matching Fund requirement. Public funds may include any general revenue funds, county or other local public funds, State/Territory-specific funds (tobacco tax, lottery), or any other public funds.

If checked, identify source of funds:

The three funding sources used to meet the Matching Fund requirement are the State Purchased Social Services Grant, State General Fund and Fund for Healthy Maine.

If known, identify the estimated amount of public funds the Lead Agency will receive:

\$2,954,902

Private Donated Funds to meet the CCDF Matching Fund requirement. Only private received by the designated entities or by the Lead Agency may be counted for match purposes. (98.53(f))

If checked, are those funds:

donated directly to the State?

donated to a separate entity(ies) designated to receive private donated funds?

If checked, identify the number of entities designated to receive private donated funds and provide name, address, contact and type:

If known, identify the estimated amount of private donated funds the Lead Agency will receive:

State expenditures for Pre-K programs to meet the CCDF Matching Funds requirement.

If checked, provide the estimated percentage of Matching Fund requirement that will be

met with pre-k expenditures (not to exceed 30%):

If percentage is more than 10% of the Matching fund requirement, describe how the State will coordinate its pre-k and child care services:

If known, identify the estimated amount of pre-k funds the Lead Agency will receive for Matching Funds requirement:

Describe the Lead Agency efforts to ensure that pre-k programs meet the needs of working parents:

State expenditures for Pre-K programs to meet the CCDF Maintenance of Effort (MOE) requirements.

If checked,

The Lead Agency assures that its level of effort in full-day/full-year child care services has not been reduced, pursuant to 98.53(h)(1).

Estimated percentage of MOE Fund requirement that will be met with pre-k expenditures (not to exceed 20%):

If percentage is more than 10% of the MOE fund requirement, describe how the State will coordinate its pre-k and child care services to expand the availability of child care:

If known, identify the estimated amount of pre-k funds the Lead Agency will receive for MOE Fund requirement:

Describe the Lead Agency efforts to ensure that pre-k programs meet the needs of working parents:

1.2.3 Describe the activities for which quality funds (including targeted quality funds for infants and toddlers, school-age children, and resource and referral) will be used in FY 2014 - 2015. Note: Funding estimate is limited to FY 2014 In as much detail possible, list the activities that will be funded, the estimated amount of CCDF quality funds that will be used for each activity, and how these activities relate to the Lead Agency's overall goal of improving the quality of child care for low-income children.

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Estimated Amount of CCDF Quality Funds For FY 2014	Activity (Lead Agency should include description of quality activities that cover FY 2014 and also information about activities for FY 2015, if available)	Purpose	Projected Impact and Anticipated Results (if possible)
<p>Infant/Toddler Targeted Fund 500,000</p>	<p>1. Quality Differential: To provide financial incentives for quality improvement investments in licensed centers and certified homes.</p> <p>2. Workforce Development/Technical Assistance: To provide high-quality, standardized Training and Technical Assistance or Professional Development services that address the unique needs of all of the communities throughout the State of Maine across licensed, certified homes and Family, Friend and Neighbor Care settings. These services encompass:</p> <ol style="list-style-type: none"> 1. Training to providers 2. Technical Assistance to providers 3. Professional Development Systems 	<p>1. Quality Differential for Child Care Providers</p> <p>2. Workforce Development</p> <p>Infant/Toddler targeted funds in the Quality Differential and Workforce Development/Technical assistance are used to support providers of infants and toddlers.</p>	<p>1. Quality Differential: To provide financial incentives for quality improvement investments in licensed centers and certified homes.</p> <p>2. Workforce Development/Technical Assistance: To provide high-quality, standardized Training and Technical Assistance or Professional Development services that address the unique needs of all of the communities throughout the State of Maine across licensed, certified homes and Family, Friend and Neighbor Care settings. These services encompass:</p> <ol style="list-style-type: none"> 1. Training to providers 2. Technical Assistance to providers 3. Professional Development Systems
<p>School-Age/Child Care Resource and Referral Targeted Funds 300,000</p>	<p>1. Consumer Education: Supporting families to increase access to child care and parenting resources and supporting the development of child care that meets the needs of families.</p> <p>2. Quality Differential for School Age children: To provide financial incentives for quality improvement investments in licensed centers and certified homes.</p>	<p>Consumer Education Resource and Referral Services</p> <p>Quality Differential for School Age children</p>	<p>Supporting families to increase access to child care and parenting resources and supporting the development of child care that meets the needs of families.</p> <p>To provide financial incentives for quality improvement investments in licensed centers and certified homes.</p>

<p>Quality Expansion Targeted Funds 1,300,000</p>	<p>Workforce Development/Technical Assistance: To provide high-quality, standardized Training and Technical Assistance or Professional Development services that address the unique needs of all of the communities throughout the State of Maine across licensed, certified homes and Family, Friend and Neighbor Care settings. These services encompass: 1. Training to providers 2. Technical Assistance to providers 3. Professional Development Systems</p>	<p>Workforce Development/Technical Assistance</p>	<p>To provide high-quality, standardized Training and Technical Assistance or Professional Development services that address the unique needs of all of the communities throughout the State of Maine across licensed, certified homes and Family, Friend and Neighbor Care settings. These services encompass: 1. Training to providers 2. Technical Assistance to providers 3. Professional Development Systems</p>
<p>Quality Funds (not including Targeted Funds) 1,300,000</p>	<p>Child Care Licensing: To ensure the health and safety of children throughout the State who are attending licensed centers and certified homes.</p>	<p>Child Care Licensing</p>	<p>To ensure the health and safety of children throughout the State who are attending licensed centers and certified homes.</p>

1.2.4 Will the Lead Agency distribute quality funds to counties or local entities?

Note: This question is to obtain information on whether the Lead Agency retains decision making responsibilities regarding the quality dollars at the State/Territory level or if funds are distributed to local entities

Does the State maintain decisions at the State level, or are funds distributed to locals that have some decisions on how funds are spent.

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- No, the Lead Agency will not distribute any quality funds directly to local entities
- Yes, all quality funds will be distributed to local entities
- Yes, the Lead Agency will distribute a portion of quality funds directly to local entities. Estimated amount or percentage to be distributed to localities

Other.
Describe:

1.3 CCDF Program Integrity and Accountability

Program integrity is defined to include efforts that ensure effective internal controls over the administration of CCDF funds. The Lead Agency is responsible for monitoring programs and services, ensuring compliance with the rules of the program, promulgating rules and regulations to govern the overall administration of the plan and oversee the expenditure of funds by sub-grantees and contractors. (§ 98.11(b)) Accountability measures should address administrative error, which includes unintentional agency error, **as well as address** program violations, both unintentional and intentional, that may or may not result in further action by the Lead Agency, including those cases suspected of and/or prosecuted for fraud.

1.3.1. Describe the strategies the Lead Agency will utilize to ensure effective internal controls are in place. The **description** of internal controls may include, but is not limited to a description of processes to ensure sound fiscal management, to identify areas of risk or to establish regular evaluation of control activities.

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Describe:

The Department of Health and Human Services contracts with The University of Southern Maine, Muskie School of Public Service to coordinate child care provider training and technical assistance activities or to otherwise support the quality of child care in the state. Agreement administrators monitor all contracts for financial compliance. This monitoring includes quarterly reporting. Site visits to review performance indicators and client records, if applicable, are completed. Program staff monitor for specific performance requirements including the performance indicators outlined in contracts and agreements. The Lead Agency has staff to conduct audits and review case files for proper authorizations.

All services are scheduled for renewal through a competitive bid process on average, every four years. A calendar is developed noting the dates a request for proposal (RFP) will be available for specific programs. In addition, any new funds are awarded on a competitive basis as required by law.

The State Child Care Administrator and other staff meet periodically with grantees, various associations, councils, and advisory groups to evaluate the delivery of services. The Administrator and staff Solicit recommendations from these groups on how to improve services and implement modifications and/or improvements as deemed necessary.

The Lead Agency also participates in finance meetings with program fiscal coordinators and Individuals from the accounting division to monitor and review expenditures to ensure they are in-line with the intention of the grant. Monthly management reports and data tracking of finance and program compliance are reviewed at the management level on a consistent basis for compliance and reflect the goals in the state authorized work plan.

1.3.2. Describe the processes the Lead Agency will use to monitor all sub-recipients. Lead Agencies that use other governmental or non-governmental sub-

recipients to administer the program must have written agreements in place outlining roles and responsibilities for meeting CCDF requirements. (98.11 (a) (3))

Definition: A sub-recipient (including a sub-contractor and or sub-grantee) is a non-Federal entity that expends Federal awards (contract or grant) received from another entity to carry out a Federal program, but does not include a vendor nor does it include an individual who is a beneficiary of such a program. OMB Circular A-133 Section 210 provides additional information on the characteristics of a **sub-recipient and vendor** (http://www.whitehouse.gov/omb/circulars/a133_compliance_supplement_2010). The description of monitoring may include, but is not limited to, a discussion of written agreements, fiscal management, review of policies and procedures to ensure compliance with CCDF regulations, monitoring/auditing contractors or grantees to ensure that eligible children are served and eligibility documentation is verified, and establishing performance indicators or measures related to improper payments.

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Describe:

The State of Maine has no sub-recipients, as the program is administered solely by the Lead Agency.

1.3.3. Describe the activities the Lead Agency will have in place to identify program violations and administrative error to ensure program integrity using the chart below. Program violations may include intentional and unintentional client and/or provider violations as defined by the Lead Agency. Administrative error refers to **areas identified through the Error Rate Review** process (98.100). Check which activities, if any, the Lead Agency has chosen to conduct.

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Type of Activity	Identify Program Violations	Identify Administrative Error
Share/match data from other programs (e.g. TANF, Child and Adult Care Food Program (CACFP), Food and Nutrition Service (FNS), Medicaid))	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Share/match data from other databases (e.g., State Directory of New Hires, Social Security Administration, Public Assistance Reporting Information System (PARIS))	<input type="checkbox"/>	<input type="checkbox"/>
Run system reports that flag errors (include types)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Review of attendance or billing records	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Audit provider records	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Conduct quality control or quality assurance reviews	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Conduct on-site visits to providers or sub-recipients to review attendance or enrollment documents	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Conduct supervisory staff reviews	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Conduct data mining to identify trends	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Train staff on policy and/or audits	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other. Describe		
Implement a tracking system to monitor the reporting of potential fraud and the outcome of the detailed review or referral to State fraud department.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
None	<input type="checkbox"/>	<input type="checkbox"/>

For any option the Lead Agency checked in the chart above other than none, please describe:

The Lead Agency will continue to incorporate a peer auditing structure with staff members. This peer auditing structure will review all eligibility records including but not limited to; application/re-determination forms, priority group placement, general program requirements, income and authorizations.

Additionally, the Lead Agency will have 2 separate staff members established as anchor points for quality assurance measures that are responsible for managing the accountability initiatives associated with the grant. Moreover, the State of Maine Child Care Subsidy Program will have the Office of Child and Family Services PQI team audit a percentage of eligibility records on an annual basis as an independent record review process.

Audits are done quarterly and are randomly selected to equal 10% of the identified population per quarter. For example, 10% of the Certified Family Child Care providers that have current agreements with the Lead Agency will be audited.

Supervisory and/or Management staff is responsible for reviewing the following:

- System run reports that flag errors, this is done quarterly
- System match runs that compare client data sets from other sources (i.e. data feeds from TANF/MaineCare), this is done ongoing through monthly meetings with IT individuals
- Conduct data mining to identify trends, this is reviewed monthly via management reports.

Supervisory and/or Management staff is responsible for:

- Conducting staff performance evaluations based upon file audits and database inquiries.
- Training staff on policy and file expectations, bi-monthly staff meetings and monthly individual supervision where dedicated time focuses on policy discussions and training. Additionally, file audit forms are reviewed and shared.

If the Lead Agency checked none, please describe what measures the Lead Agency has or plans to put in place to address program integrity:

1.3.4. What strategies will the Lead Agency use to investigate and collect improper payments due to program violations or administrative error? Check and describe in the chart below which strategies, if any, the Lead Agency will use for each of the following areas: Unintentional program violations (UPV), intentional program violations (IPV) and/or fraud, and administrative error as defined in your State/Territory. **The Lead Agency has the flexibility to recover misspent funds as a result of errors. The Lead Agency is required to recover misspent funds as a result of fraud (98.60(i)).**

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Strategy	UPV	IPV and/or Fraud	Administrative Error
Require recovery after a minimum dollar amount in improper payment. Identify the minimum dollar amount: \$ 1000.00	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Coordinate with and refer to other State/Territory agency (e.g. State/Territory collection agency, law enforcement). Describe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The Department of Health and Human Services Fraud Investigation and Recovery Unit			
Recover through repayment plans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reduce payments in the subsequent months	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Recover through State/Territory tax intercepts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Recover through other means. Describe:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Establish a unit to investigate and collect improper payments. Describe composition of unit:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other. Describe:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
None	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

For any option the Lead Agency checked in the chart above other than none, please describe:

The Department shall take prompt action in accordance with the requirements of this section whenever an improper payment occurs that causes benefits to be underpaid or overpaid.

1. **Underpayments** occur when the Parent or the Child Care Provider does not receive all the benefits to which the Parent or the Child Care Provider is entitled due to an administrative error or mistake made by the Department. Evidence shall clearly demonstrate that an agency administrative error occurred. Errors caused by the Parent or the Child Care Provider shall not be considered underpayments, except when a Child Care Provider makes a billing error and the Department receives written notification of the error within thirty (30) calendar days of the date payment is issued to the provider.
2. **Overpayments** occur when the amount paid exceeds the amount that would have been paid if the benefit had been calculated correctly on actual circumstances reported, verified and acted on in a timely manner. Overpayments occur as the result of agency administrative, Parent or Child Care Provider errors.
3. Overpayments are calculated on a month-to-month basis for the period of the overpayment. No overpayment shall be established if the difference between the benefits paid on behalf of the Parent and the correct benefit amount is less than ten (10) dollars.

12.03 Agency Administrative Errors

An overpayment shall be classified as an agency administrative error if the error was caused solely by actions of the Department.

Agency administrative errors shall include, but not be limited to:

- a. Errors caused by delays in processing applications or acting upon changes that were reported in a timely fashion.
- b. Errors in determining eligibility, calculating the benefit amount or the payment authorization period
- c. Data entry errors

1. Errors caused by the incorrect application of state regulations, policy or procedures

2. Fraud committed by an individual who works for the Department

12.04 Errors Caused by Parents and Providers

12.04.1 Overpayments that are not caused by agency administrative errors shall be classified as caused by the Parent or Child Care Provider.

12.04.2 Overpayments caused by the Parent shall include, but not be limited to:

- a. Errors caused by reporting false information
- b. Errors caused by reporting inaccurate information

c. Delays in reporting changes in household circumstances, work or school schedules, or provider arrangements.

12.04.3 Overpayments caused by the Child Care Provider shall include, but not be limited to caused by:

1. Inaccurate reporting of licensing status, age or other Child Care Provider eligibility requirements
2. Inaccurate reporting of the Child Care Provider's relationship to the child or the location at which care is given
3. Inaccurate reporting of household circumstances
4. The overpayment shall be considered as both Parent and Child Care Provider caused if the Parent and the Child Care Provider both participated in the action that caused the overpayment to occur.

The Department shall make a preliminary determination of whether the overpayment was caused by a program violation based on the information and evidence and pursuant to these rules. Overpayments shall be considered and pursued if the Parent or Child Care Provider withheld or provided false information on matters affecting eligibility, benefits or a claim for services.

12.04.6 Where the Department makes a preliminary determination that a Parent or Child Care Provider may have committed a program violation, the case may be referred to the DHHS Fraud Investigation Unit pursuant to Title 22 M.R.S.A. §13 and the Department may pursue establishment of a program violation against the Parent and/or Child Care Provider administratively.

12.04.7 A final determination that a program violation was made shall be made only as the result of a decision by an Administrative Hearing, a court, or waiver of the Administrative Hearing by the Parent and/or Child Care Provider. Failure to request an Administrative Hearing constitutes a waiver.

12.05 Calculating the Improper Payment

12.05.1 Improper Subsidy payments shall be calculated by comparing the subsidy paid during applicable benefit month to the payment that would have been payable if eligibility and payment had been calculated correctly. The difference between the correct subsidy and the amount actually paid shall be the amount of the monthly improper payment.

12.05.2 The monthly calculation is applied on a month-to-month basis for the improper pay. The aggregate sum of the monthly improper payments within the improper payment period is the net amount of the improper payment or the overpayment/underpayment amount.

12.05.3 If subsidy benefits are underpaid, the amount owed shall be paid within sixty (60) days of the date the error was discovered, unless information needed to calculate the improper payment is inadequate or has not been received. If the Parent or Child Care Provider has an outstanding overpayment, the amount of the underpayment shall be used to offset the outstanding overpayment and any remaining balance of the underpayment shall then be payable to the Parent or Child Care Provider.

12.05.4 Improper payments shall be corrected regardless of whether the Parent's case is a closed. The Parent and Child Care Provider shall be notified of the determination.

12.05.5 Repayment of overpayments shall begin on the first day of the month following the circumstances that caused the overpayment occurred.

12.05.6 Repayment of Agency Administrative overpayments shall begin on the first day of following the month in which the circumstances that caused the overpayment occurred, unless a notice of adverse action is required.

12.05.7 If the Department fails to take timely action following discovery of the issue to correct the issue causing the overpayment to accrue any subsequent subsidy benefits overpaid as the result of the delay shall be considered agency administrative error.

Responsibility for Repayment

The Parent shall be responsible for repaying the overpayment unless the overpayment was caused solely by the Child Care Provider. If the Parent is responsible for the overpayment, the Department shall require restitution by billing when the overpayment is due and again on the thirtieth and sixtieth day if the Parent fails to pay. Thereafter, the Department may pursue collection in the appropriate venue.

- If the Child Care Provider is responsible for the error, the Child Care Provider shall repay overpayment.
- If the Child Care Provider is responsible for the overpayment and recovery is initiated by the monthly Child Care Subsidy benefits, the Child Care Provider shall not require the household to pay the difference by increasing charges for children subsidized by the Department to compensate for the loss of income due to the recovery of an overpayment.
- The individuals responsible for the repayment of the overpayment shall be provided with written notice of overpayment upon establishment.
- The written notice of overpayment shall be sent to the Department's last known address individuals, by U.S. Postal Service first class mail and be considered as received upon being sent.
- The written notice of overpayment shall contain:
 - Name(s) of the individual(s) responsible for repayment
 - Last known address of the individual
 - Amount of the overpayment
 - Period of the overpayment
 - The overpayment will be considered payable in full thirty (30) days from the date of the notice
 - Explanation of why the overpayment occurred
 - Responsibility for repayment by recovery through Child Care Provider payment reduction
 - Responsibility for repayment when billed
 - Responsibility for repayment through Maine Revenue Services Tax Setoff
 - Hearing Rights and Appeal Rights
 - Selection of repayment method as outlined in 12.08.
- If the Child Care Provider is solely responsible for repaying the overpayment, the Parent shall be notified in advance of the proposed change in benefits and that the Child Care Provider cannot hold the Parent responsible for paying the difference.

12.08 Methods of Repayment

12.08.1 The Department shall attempt to recover overpayments by a lump sum repay quickest means possible.

If the Parent or Child Care Provider does not agree to a lump sum repayment, the Department will then reduce the Child Care Provider's and/or Parent's ongoing payments by twenty percent (20%) of the Child Care Provider's monthly payment until the overpayment has been fully recovered.

12.08.3 Recovery by benefit reduction shall be initiated if the Child Care Provider the advance notice or request an Administrative Hearing.

12.08.4 Written request for an Administrative Hearing on establishment of the overpayment the Department within thirty (30) days of the Notice shall stay recovery actions until issuance of a decision which upholds the Department's establishment of the overpayment.

- If the Child Care Provider does not actively receive Child Care Subsidy payments, the Department shall attempt to recover the overpayment through the quickest means possible and through those mechanisms available by law as with other program overpayments.
- If the Parent or Child Care Provider does not comply with any repayment plan, the Department to the extent allowed by law, take whatever action deemed appropriate to recover such overpayment.

Disqualification Penalties for Program Violations

- Parents or Child Care Providers who are found to have committed a program violation must be referred to the DHHS Fraud Investigation Unit pursuant to Title 22 M.R.S.A. § 13.
- The Department shall impose a disqualification penalty of up to one year if the Parent is found to have committed a program violation in connection with obtaining Child Care Subsidy benefits. A penalty shall be imposed after issuance of an Administrative Decision which determines that a Program Violation occurred or the Parent waives an Administrative Hearing.
- Parents are disqualified for up to a year for a Child Care Subsidy if they had their services terminated for an Program Violation related to Family income, Family size, or other eligibility criteria in order to be found eligible for services.
- Parents and/or Child Care Providers convicted of Theft as a Class B or Class C competent jurisdiction regarding the funds administered by the Department through the Child Care Subsidy program, TANF or other cash program shall be permanently disqualified from participation in the Child Care Subsidy program.

1.3.5. What type of sanction, if any, will the Lead Agency place on clients and providers to help reduce improper payments due to program violations?

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None

Disqualify client.

If checked, please describe, including a description of the appeal process for clients who are disqualified

Intentional program violation will disqualify a client from applying for one year. Upon termination of services, the client has 10 calendar days to request a hearing regarding the decision. Once the hearing decision is issued, the decision stands for one year.

Disqualify provider.

If checked, please describe, including a description of the appeal process for providers who are disqualified

Intentional program violation disqualifies a provider from participating in the subsidy program. Upon termination of services, the provider has 10 calendar days to request a hearing regarding the decision. Once the hearing decision is issued, the decision stands for one year.

Prosecute criminally

Other.

Describe.

1.3.6 Based on responses provided from Question 14 in the most recent ACF-402 report, please describe those actions the Lead Agency has taken or plans to take to reduce identified errors in the table below. Territories not required to complete the Error Rate Review should mark

N/A here

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Activities identified in ACF-402	Cause/Type of Error (if known)	Actions Taken or Planned	Completion Date (Actual or planned) (if known)
Improper authorizations	Award Letter calculation errors	1. Automate award letter calculations based on the calculations in our database called MACWIS. 2. Modify our award letters to align with this automation.	December 2013
Improper authorizations	Application/Re-determination Forms	1. Automate award letter calculations based on the calculations in our database called MACWIS. 2. Modify our award letters to align with this automation. 3. Standardized File Templates 4. Standardized File Inventories 5. The State of Maine will continue our quality assurance system for ongoing monitoring of compliance on the authorization protocol that includes ongoing independent audits by the OCFS PQI team on an annual cycle. 6. Hire a CCSP Coordinator that is responsible for internal controls and functions of the Child Care Subsidy Program.	June 2014

Improper authorizations	Qualifying Provider Arrangement	1. Automate award letter calculations based on the calculations in our database called MACWIS. 2. Modify our award letters to align with this automation. 3. Standardized File Templates 4. Standardized File Inventories 5. The State of Maine will continue our quality assurance system for ongoing monitoring of compliance on the authorization protocol that includes ongoing independent audits by the OCFS PQI team on an annual cycle. 6. Hire a CCSP Coordinator that is responsible for internal controls and functions of the Child Care Subsidy Program.	June 2014

1.4 Consultation in the Development of the CCDF Plan

Lead Agencies are required to *consult* with appropriate agencies in the development of its CCDF Plan (§98.12, §98.14(a),(b), §98.16(d)).

Definition: *Consultation* involves the meeting with or otherwise obtaining input from an appropriate agency in the development of the State or Territory CCDF Plan. At a minimum, Lead Agencies must consult with representatives of general purpose local governments. (§§98.12(b), 98.14(a)(1))

1.4.1 Identify and describe in the table below who the Lead Agency consulted with in the development of the CCDF Plan (658D(b)(2), §§98.12(b), 98.14(b)).

Agency/Entity	Describe how the Lead Agency consulted with this Agency/entity in developing the CCDF Plan
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Representatives of general purpose local government (required)

This may include, but is not limited to: representatives from counties and municipalities, local human service agencies, local education representatives (e.g., school districts), or local public health agencies.

The Child Care Advisory Council submitted in writing recommendations to consider when drafting the CCDF plan.

The CCAC council is a 28 Members council appointed as follows:
Employee of DHHS, Office of Family Independence
Employee of DHHS State Child Care Administrator
Employee of DHHS, Concerned with children's behavioral health services
Designee of DHHS, Head Start Collaboration Director
Two Employees of Department of Education, one special education focus, one public 4 yr. old programs focus
State Fire Marshal
Employee of the Office of Substance Abuse
Employee of the Department of Economic and Community Development
One member of the Senate
Two members of the House of Representatives
One parent who receives child care subsidy
One Business representative from Maine Chamber of Commerce
One Center Based care provider
One Head Start provider
One Family Child Care provider
One child care provider that does not receive public funds
One person representing a nonprofit advocacy organization working on behalf of children and families
One person associated with Child Development Services
One person representing Maine Center for Community Inclusion and Disabilities Studies
One representative from Maine Women's Lobby
One provider representing school age care providers
One person representing Maine Roads to Quality

For the remaining agencies, check and describe (optional) any which the Lead Agency has chosen to consult with in the development of its CCDF Plan.



State/Territory agency responsible for public education

This may include, but is not limited to, State/Territory pre-kindergarten programs (if applicable), programs serving school-age children (including 21st Century Community Learning Centers), or higher education.

The Lead Agency consulted with the Early Childhood Consultant through the Department of Education who is responsible for the public 4 year old pre-kindergarten programs.

<input checked="" type="checkbox"/> State/Territory agency responsible for programs for children with special needs This may include, but is not limited to: State/Territory early intervention programs authorized under the Individuals with Disabilities Education Act (Part C for infants and toddlers and Section 619 for preschool), or other State/Territory agencies that support children with special needs	The Lead Agency consulted with the State Director of Child Development Services (CDS) through the Department of Education who is responsible for the early intervention programs authorized under the Individuals with Disabilities Education Act (Part C for infants and toddlers and Section 619 for preschool). The Lead Agency also requested written information from all of the 8 CDS Regional Site Directors on components of this plan.
<input checked="" type="checkbox"/> State/Territory agency responsible for licensing (if separate from the Lead Agency)	Part of the Lead Agency
<input checked="" type="checkbox"/> State/Territory agency with the Head Start Collaboration grant	The Lead Agency requested written information and utilized programmatic data for the drafting of the CCDF plan.
<input type="checkbox"/> Statewide Advisory Council authorized by the Head Start Act	
<input checked="" type="checkbox"/> Other Federal, State, local, Tribal (if applicable), and/or private agencies providing early childhood and school-age/youth-serving developmental services	The Lead Agency requested written information and utilized programmatic data for the drafting of the CCDF plan.
<input checked="" type="checkbox"/> State/Territory agency responsible for the Child and Adult Care Food Program (CACFP)	The Lead Agency is responsible for the Child and Adult Care Food Program as well. The management of the CACFP program provided insight and considerations for the CCDF plans during the drafting process.
<input checked="" type="checkbox"/> State/Territory agency responsible for implementing the Maternal and Early Childhood Home Visitation programs grant	The Lead Agency partners closely with the Maternal and Early Childhood Home Visitation program.
<input type="checkbox"/> State/Territory agency responsible for public health (including the agency responsible for immunizations and programs that promote children's emotional and mental health)	
<input checked="" type="checkbox"/> State/Territory agency responsible for child welfare	Part of the Lead Agency
<input type="checkbox"/> State/Territory liaison for military child care programs or other military child care representatives	

<input checked="" type="checkbox"/> State/Territory agency responsible for employment services/workforce development	The Lead Agency requested written information from Maine Roads to Quality, our Professional Development Network and utilized programmatic data in drafting this CCDF plan.		
<input checked="" type="checkbox"/> State/Territory agency responsible for Temporary Assistance for Needy Families (TANF)	The Lead Agency is also responsible for TANF services in Maine. TANF staff were encourage to provide feedback and considerations for the CCDF plan during the drafting process.		
<table border="1"> <tr> <td data-bbox="49 383 424 770"> <input type="checkbox"/> </td> <td data-bbox="424 383 794 770"> Indian Tribes/Tribal Organizations <input type="checkbox"/> N/A: No such entities exist within the boundaries of the State </td> </tr> </table>	<input type="checkbox"/>	Indian Tribes/Tribal Organizations <input type="checkbox"/> N/A: No such entities exist within the boundaries of the State	
<input type="checkbox"/>	Indian Tribes/Tribal Organizations <input type="checkbox"/> N/A: No such entities exist within the boundaries of the State		
<input checked="" type="checkbox"/> Private agencies/entities including national initiatives that the Lead Agency is participating in such as BUILD, Strengthening Families, Mott Statewide After-school Networks, Ready by 21	The Lead Agency requested written information from the AfterSchool Network (Mott Statewide AfterSchool Network).		
<input checked="" type="checkbox"/> Provider groups, associations or labor organizations	The Child Care Advisory Council submitted recommendations to the Lead Agency to consider during the drafting process.		
<input type="checkbox"/> Parent groups or organizations			
<input type="checkbox"/> Local community organization, and institutions (child care resource and referral, Red Cross)			
<input checked="" type="checkbox"/> Other	Maine Association for the Education of Young Children and Maine Early Learning and Investment Group The Lead Agency requested written information from these 2 groups.		

1.4.2. Describe the Statewide/Territory-wide public hearing process held to provide the public an opportunity to comment on the provision of child care services under this Plan. (658D(b)(1)(C), §§98.14(C)). At a minimum, the description should include:

Effective Date: 01-OCT-13

a) Date(s) of notice of public hearing: 05/28/2013

Reminder - Must be at least 20 days prior to the date of the public hearing.

b) How was the public notified about the public hearing? [Newspaper; website, Email to available contacts](#)

c) Date(s) of public hearing(s): [06/19/2013](#)

Reminder - Must be no earlier than 9 months before effective date of Plan (October 1, 2013).

d) Hearing site(s) [Lead Agency Office site in Augusta, Maine. Satellite sites in Portland, ME , Ellsworth, ME, Machias, ME, Bangor, ME and in Caribou, ME.](#)

e) How was the content of the Plan made available to the public in advance of the public hearing(s)? [Posted on Website and in print upon request.](#)

f) How will the information provided by the public be taken into consideration in the provision of child care services under this Plan? [Lead Agency will review the comments and recommendations and modify the plan as necessary prior to final submission.](#)

1.4.3. Describe any strategies used by the Lead Agency to increase public consultation on the Plan or access to the public hearing. For example, translating the public hearing notice into multiple languages, using a variety of sites or technology (e.g., video) for the public hearing, holding the hearing at times to accommodate parent and provider work schedules.

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[A Public hearing was held in the central area of the State with satellite feeds in 5 other State locations in southern, coastal and northern Maine. The hearing was scheduled for two hours in length, in the evening, and in public buildings that are designed to accommodate individuals of all abilities. Translators were available in locations that are most heavily populated with non-English speaking populations.](#)

1.5. Coordination Activities to Support the Implementation of CCDF Services

Lead Agencies are required to *coordinate* with other Federal, State, local, Tribal (if applicable) and private agencies providing child care and early childhood development services

Definition - *Coordination* involves child care and early childhood and school-age development services efforts to work across multiple entities, both public and private (such as in connection with a State Early Childhood Comprehensive System (SECCS) grant or the State Advisory Council funded under the Head Start Act of 2007). (658D(b)(1)(D), §§98.12(a), 98.14(a)(1))

Note: Descriptions of how governments are organized for each State are provided at: http://www2.census.gov/govs/cog/all_ind_st_descr.pdf.

1.5.1. Identify and describe in the table below with whom the Lead Agency coordinates in the delivery of child care and early childhood and school-age services (§98.14(a)(1)).

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Agency/Entity (check all that apply)	Describe how the Lead Agency will coordinate with this Agency/entity in delivering child care and early childhood services	Describe the goals or results you are expecting from the coordination
<p>Representatives of general purpose local government</p> <p><input checked="" type="checkbox"/> This may include, but is not limited to: representatives from counties and municipalities, local education representatives, or local public health agencies.</p>	<p>The Lead Agency will participate in the following early childhood coordinating groups:</p> <p>State Agencies Interdepartmental Early Learning Team (SAIEL) Maine Children's Growth Council (MCGC) Child Care Advisory Council (CCAC)</p>	<p>Examples might include increased supply of full-day/full-year services, aligned eligibility policies, blended funding, or access to more training and technical assistance resources shared across agencies.</p> <p>To serve as the administrative governance structure between the Department of Education and the Department of Health and Human Services to ensure interagency coordination, streamline decision-making, allocate resources effectively, incorporate findings from the various demonstration projects statewide, and create long term sustainability for its early learning and development reform</p> <p>The purpose of these committees is to facilitate services across the systems and sectors in order to facilitate the creation of safe and stable child care environments.</p>

<p>State/Territory agency responsible for public education (required)</p> <p>This may include, but is not limited to, State/Territory pre-kindergarten programs (if applicable), programs serving school-age children (including 21st Century Community Learning Centers), or higher education.</p>	<p>Participate in: Higher Education Committee Early Childhood Accountability Team Professional Development Accountability Team</p>	<p>Increase accessibility of higher education options for professionals in the State of Maine by maintaining and coordinating articulation agreements with our professional workforce system, community colleges and the university system.</p>
<p>Other Federal, State, local, Tribal (if applicable), and/or private agencies providing early childhood and school-age/youth-serving developmental services (required)</p>	<p>Participate in: Maine Children's Growth Council Child Care Advisory Council Shared Service Alliance Advisory Council</p>	<p>The purpose of these committees is facilitate services across the systems and sectors in order to facilitate the creation of safe and stable child care environments.</p>

<input checked="" type="checkbox"/> <p>State/Territory agency responsible for public health (required)</p> <p>This may include, but is not limited to, the agency responsible for immunizations and programs that promote children's emotional and mental health</p>	<p>Part of the State Agencies Interdepartmental Early Learning Team (SAIEL)</p>	<p>To serve as the administrative governance structure between the Department of Education and the Department of Health and Human Services to ensure interagency coordination, streamline decision-making, allocate resources effectively, incorporate findings from the various demonstration projects statewide, and create long term sustainability for its early learning and development reform.</p>
<input checked="" type="checkbox"/> <p>State/Territory agency responsible for employment services / workforce development (required)</p>	<p>The Lead Agency will continue to collaborate with the Office of Family Independence, the Office responsible for determining financial eligibility for Child Care Subsidy. This Office is responsible for supporting the work force and independence of families throughout the State of Maine. The Lead Agency also coordinates with the Department of Labor's Career Centers.</p>	<p>Supports individuals in increasing access to the CCDF subsidy along with streamlining and creating efficiencies in family independence to support their access to the workforce.</p> <p>The Career Centers work with people who are looking for work or have been displaced from another position.</p>
<input checked="" type="checkbox"/> <p>State/Territory agency responsible for providing Temporary Assistance for Needy Families (TANF) including local human service agencies (required)</p>	<p>The Lead Agency will collaborate with the Office for Family Independence through interdepartmental collaboration.</p>	<p>The goal of this collaboration is to avoid duplication of services to families and increase efficiency in serving families to access the child care subsidy Program. Additionally this provides a level of oversight and accountability between the data systems that are used to monitor client services.</p>

<p>Indian Tribes/Tribal Organizations (required)</p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/> N/A: No such entities exist within the boundaries of the State</p>	<p>The Lead Agency will invite the lead contact for Tribal CCDF to participate in the Child Care Advisory Council</p>	<p>Coordinate and reduce duplication of services.</p>
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For the remaining agencies, check and describe (optional) any with which the Lead Agency has chosen to coordinate early childhood and school-age service delivery

<p><input checked="" type="checkbox"/> State/Territory agency with the Head Start Collaboration grant</p>		
<p><input checked="" type="checkbox"/> State/Territory agency responsible for Race to the Top - Early Learning Challenge (RTT-ELC)</p> <p><input checked="" type="checkbox"/></p> <p>N/A: State/Territory does not participate in RTT-ELC</p>		
<p><input checked="" type="checkbox"/> State/Territory agency responsible for the Child and Adult Care Food Program (CACFP)</p>		

<input checked="" type="checkbox"/> <p>State/Territory agency responsible for programs for children with special needs</p> <p>This may include, but is not limited to: State/Territory early intervention programs authorized under the Individuals with Disabilities Education Act (Part C for infants and toddlers and Section 619 for preschool), or other State/Territory agencies that support children with special needs</p>		
<input checked="" type="checkbox"/> <p>State/Territory agency responsible for implementing the Maternal and Early Childhood Home Visitation programs grant</p>		
<input type="checkbox"/> <p>State/Territory agency responsible for child welfare</p>		

<input type="checkbox"/>	State/Territory liaison for military child care programs or other military child care representatives		
<input checked="" type="checkbox"/>	Private agencies/entities including national initiatives that the Lead Agency is participating in such as BUILD, Strengthening Families, Mott Statewide After-school Networks, Ready by 21		
<input type="checkbox"/>	Local community organizations (child care resource and referral, Red Cross)		
<input type="checkbox"/>	Provider groups, associations or labor organizations		
<input type="checkbox"/>	Parent groups or organizations		
<input type="checkbox"/>	Other		

1.5.2. Does the State/Territory have a formal early childhood and/or school-age coordination plan? Lead Agencies are not required to have an early childhood nor a school-age coordination plan, but the State/Territory may have such plans for other purposes, including fulfilling requirements of other programs.

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Yes. If yes,

a)

Provide the name of the entity responsible for the coordination plan(s):

The Maine Children's Growth Council

b)

Describe the age groups addressed by the plan(s):

Prenatal through eight years old

c)

Indicate whether this entity also operates as the State Advisory Council (as authorized under the Head Start Act of 2007):

Yes

No

d)

Provide a web address for the plan(s), if available:

www.maineecgc.org

No

1.5.3. Does the State/Territory have a designated entity(ies) responsible for coordination across early childhood and school-age programs? (658D(b)(1)(D), §98.14(a)(1)) Check which entity(ies), if any, the State/Territory has chosen to designate.

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State/Territory-wide early childhood and/or school-age cabinet/advisory council/task force/commission.

If yes, describe entity, age groups and the role of the Lead Agency

State Advisory Council (as described under the Head Start Act of 2007).

If yes, describe entity, age groups and the role of the Lead Agency

The Maine Children's Growth Council is created to develop, maintain and evaluate a plan for sustainable social and financial investment in healthy development of the State's young children and their families. This body has no authority, provides advisement to the State and includes birth through eight years of age as the focus ages.

This council is a 35 seat council with the following representation;

A. Two members of the Senate, one from each of the 2 political parties having the greatest number of members in the Senate, appointed by the President of the Senate; [2007, c. 683, Pt. A, §2 (NEW).]

B. Two members of the House of Representatives, one from each of the 2 political parties having the greatest number of members in the House, appointed by the Speaker of the House; [2007, c. 683, Pt.

A, §2 (NEW).]

C. The Governor or the Governor's designee and the Attorney General or the Attorney General's designee; [2007, c. 683, Pt. A, §2 (NEW).]

D. Three parents, at least one of whom has a young child, one each appointed by the Governor, the President of the Senate and the Speaker of the House; [2007, c. 683, Pt. A, §2 (NEW).]

E. Two persons with experience in public funding and philanthropy, appointed by the President of the Senate; [2007, c. 683, Pt. A, §2 (NEW).]

F. One person representing child abuse and neglect prevention, appointed by the Speaker of the House; [2007, c. 683, Pt. A, §2 (NEW).]

G. One person representing postsecondary education, appointed by the Governor; [2007, c. 683, Pt. A, §2 (NEW).]

H. Eight persons representing statewide, membership or constituent organizations that advance the well-being of young children and their families, nominated by their organizations and appointed by the Governor, of whom:

(1) Three must represent statewide organizations or associations involved in early care and education programs, child care centers, Head Start programs, family child care providers, resource development centers, programs for school-age children, child development services, physicians and child advocacy;

(2) One must represent a law enforcement organization involved with children;

(3) One must represent an organization that works on community organization and mobilization;

(4) One must represent public health;

(5) One must represent the Maine Economic Growth Council; and

(6) One must represent a labor organization; [2009, c. 392, §1 (AMD).]

I. One person representing a statewide association of business and industry and one person representing a business roundtable on early childhood investment, appointed by the Governor; [2007, c. 683, Pt. A, §2 (NEW).]

J. Up to 8 members of the public, appointed by the Governor; [2009, c. 392, §1 (AMD).]

K. Three ex-officio nonvoting members: the Commissioner of Education or the commissioner's designee, a Department of Health and Human Services employee who works with early childhood programs including Head Start and a person representing the office within the Department of Health and Human Services that is the fiscal agent for the federal grant program for comprehensive early childhood initiatives; and [2009, c. 392, §1 (AMD).]

L. The director of the Head Start collaboration project within the Department of Health and Human Services, Office of Child Care and Head Start. [2009, c. 392, §1 (NEW).]

[2009, c. 392, §1 (AMD) .]

Local Coordination/Council

If yes, describe entity, age groups and the role of the Lead Agency

Other

Describe

None

1.5.4 Does the Lead Agency conduct or plan to conduct activities to encourage public-private partnerships that promote private sector involvement in meeting child care needs? (§98.16(d))

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Yes .

If yes, **describe** these activities or planned activities, including the tangible results expected from the public-private partnership:

The Lead Agency will actively seek out opportunities for collaboration and promoting linkages with community agencies and businesses. One specific opportunity is the partnership with the Maine Shared Services Alliance (MSSAA). MSSAA is to assist with the development of resources and strategies to improve the quality and build financial stability of early care and education providers throughout the State of Maine. The State of Maine CCDF Administrator has been asked to be a member of the MSSA advisory board, which will have its first meeting in September of 2013.

No

1.6. Child Care Emergency Preparedness and Response Plan

It is recommended, but not required, that each Lead Agency develop a plan to address preparedness, response, and recovery efforts specific to child care services and programs. Plans should cover the following areas: 1) planning for continuation of services to CCDF families; 2) coordination with other State/Territory agencies and key partners; 3) emergency preparedness regulatory requirements for child care providers; 4) provision of temporary child care services after a disaster; and 5) rebuilding child care after a disaster. For further guidance on developing Child Care Emergency Preparedness and Response Plans see the Information Memorandum (CCDF-ACF-IM-2011-01) located on the Office of Child Care website at: <http://www.acf.hhs.gov/programs/occ/resource/im-2011-01>

1.6.1. Indicate which of the following best describes the current status of your efforts in this area. Check only ONE.

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Planning. Indicate whether steps are under way to develop a plan. If so, describe the time frames for completion and/or implementation, the steps anticipated and how the plan will be coordinated with other emergency planning efforts within the State/Territory.

Developed. A plan has been developed as of **[insert date]:** [06/01/2005](#) and put into operation as of **[insert date]:** [06/01/2005](#), if available. Provide a web address for this plan, if available: <http://www.maine.gov/dhhs/ocfs/ec/occhs/yikesplanning.pdf>

Other.
Describe:

1.6.2. Indicate which of the core elements identified in the Information Memorandum are or will be covered in the Lead Agency child care emergency preparedness and response plan. Check which elements, if any, the Lead Agency includes in the plan.

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- Planning for continuation of services to CCDF families
- Coordination with other State/Territory agencies and key partners
- Emergency preparedness regulatory requirements for child care providers
- Provision of temporary child care services after a disaster
- Restoring or rebuilding child care facilities and infrastructure after a disaster
- None